

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

PREFERRED CONTRACTORS INSURANCE  
COMPANY, RISK RETENTION GROUP,  
LLC,

Plaintiff,

vs.

BAKER AND SON CONSTRUCTION, INC. a  
Washington for profit corporation; ANGELA  
COX, as Personal Representative of the  
ESTATE OF RONNIE E. COX, deceased;  
ANGELA COX, individually and  
as a mother of G.C., a minor,

Defendants.

No. 3:21-cv-05016-JHC

**ORDER TO SHOW CAUSE**

This matter comes before the Court on Plaintiff Preferred Contractors Insurance Company's Renewed Motion for Summary Judgment. Dkt. # 73. The Court has reviewed the materials filed in support of, and in opposition to, the motion, as well as the balance of the case file and applicable law.

At this juncture, the Court has determined that resolution of the motion may depend on the question whether the insurance policy at issue violates Montana public policy. The Court understands the parties' positions on this issue, but it does not find the law on the question to be clear. Accordingly, the Court ORDERS Plaintiff, Defendant Baker and Son Construction, Inc.,

1 and Defendant Angela Cox to show cause as to whether it should certify this question to the  
2 Montana Supreme Court. In showing cause, each such party shall submit a brief of no longer  
3 than 4,200 words by 5 p.m., Friday, March 31, 2023.

4 DATED this 27<sup>th</sup> day of March, 2023.

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7 Honorable John H. Chun  
8 United States District Judge  
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